

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action
	)	No. 13-10200-GAO
	)	
DZHOKHAR A. TSARNAEV, also	)	
known as Jahar Tsarni,	)	
	)	
Defendant.	)	
	)	

BEFORE THE HONORABLE GEORGE A. O'TOOLE, JR.  
UNITED STATES DISTRICT JUDGE

**EXCERPT OF DISPOSITION**

**REMARKS BY THE HON. GEORGE A. O'TOOLE, JR.,  
DISTRICT JUDGE**

John J. Moakley United States Courthouse  
Courtroom No. 9  
One Courthouse Way  
Boston, Massachusetts 02210  
Wednesday, June 24, 2015

Marcia G. Patrisso, RMR, CRR  
Official Court Reporter  
John J. Moakley U.S. Courthouse  
One Courthouse Way, Room 3510  
Boston, Massachusetts 02210  
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Mechanical Steno - Computer-Aided Transcript

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P R O C E E D I N G S

\* \* \*

THE COURT: First, I want to acknowledge the presence of a number of the jurors and alternates who participated in the trial of this case. They are here at my invitation. It is my practice, after a verdict in every criminal trial, to talk informally with the discharged jurors, principally to thank them again personally for their service. It is my habit on such occasions to invite them to return to attend the sentencing hearing, and sometimes they do.

Consistent with that practice, I extended a similar invitation to the jurors in this case to attend. As you can see, many of them accepted and are here. Because so many were interested and because we have limited public seating in the courtroom, as a courtesy and as a gesture of respect for their service, I authorized them to sit in the jury box. I do want to emphasize, of course, that they are present now simply as members of the public. They are no longer a jury, but a group of citizens who are here, each in his or her individual capacity. Nonetheless, I take this occasion again to thank the now-former jurors for their exceptional service.

Much of the evidence in this case was hard to hear and see. We made great demands on their time and asked them to insulate themselves from potential extraneous influences in ways that an ordinary person would find difficult or

1 uncomfortable. We asked them to make significant changes to  
2 their daily routines and to spend a long time away from work  
3 and other pursuits. We also asked them to accept the  
4 responsibility to set aside any preconceived ideas, and instead  
5 to reason from the evidence presented in this trial to any  
6 conclusions and not the other way around.

7 Above all, we asked them, as they acted to perform  
8 their high duty, to be utterly fair and impartial in their  
9 deliberations. Their careful verdict satisfies me that they  
10 did what they were asked to do. Theirs was not the only  
11 possible verdict, but it is certainly a rational one on the  
12 evidence.

13 That they performed their duty so well and faithfully  
14 came as no surprise to me. I've been presiding over jury  
15 trials in this state for more than 30 years, and I know how  
16 seriously Massachusetts jurors take the responsibilities of  
17 jury service. I had no doubt that we could select a jury for  
18 this case that would accept and perform their high duty  
19 conscientiously and justly. The proof is in the pudding.

20 This was an extraordinary case. Those of us who sat  
21 through it from beginning to end saw and heard things we will  
22 never forget, both good and bad. First, we will never forget  
23 the victims of these crimes and their individual stories. We  
24 appreciate the presentations made here today. It takes a good  
25 deal of courage to stand up in this setting and to make such

1 intensely personal statements.

2 Today's presentations were relatively brief. We had a  
3 fuller opportunity to see and hear those victims who testified  
4 as witnesses during the trial. Their courage throughout their  
5 extended ordeal was exemplary. We were impressed by their  
6 dignity. What I'll never forget is how, as the tragic events  
7 unfolded, one after another victims, who themselves were  
8 grievously wounded, worried about someone else: a spouse, a  
9 parent, a child, a friend. Concern for others was everywhere  
10 on display that day, even from people who were themselves  
11 experiencing the deepest anguish.

12 We will all remember the heroes. And there were many.  
13 One thing that particularly stands out for me, for example, is  
14 that when Boston police officers like Lauren Woods and Tommy  
15 Barrett saw people running away from danger, they ran toward  
16 it, not knowing what they would encounter. Days later,  
17 Watertown police officers put their lives on the line in the  
18 shootout on Laurel Street.

19 But it was not just those who had official duties.  
20 After the explosions, people in the crowd immediately responded  
21 to help where they could. How many times did we hear of  
22 someone at the scene spontaneously taking off his belt to use  
23 it as a makeshift tourniquet for one of the injured, or using a  
24 drink to try to douse burning clothing, or simply trying to  
25 give comfort to one of the injured? Nor can we forget the

1     bravery of Dun Meng, whose courageous escape was the beginning  
2     of the end for the fugitive brothers.

3             The medical response was similarly heroic, from the  
4     EMTs to the nurses and doctors in the medical tents and at the  
5     hospitals. I have two particularly vivid memories from the  
6     testimony: One was EMS Chief Hooley's description of the red,  
7     yellow, green triage process at the medical tent, crucial  
8     life-or-death decisions being made instantly because they had  
9     to be; the other was Dr. Heather Studley's testimony about how  
10    she and her team at Mount Auburn literally revived Dic Donohue  
11    after what might have been regarded as clinical death.

12            Finally, I commend what appears from this vantage  
13    point to have been the meticulous professionalism of the law  
14    enforcement post-crime investigation. I'm sure there were  
15    hitches and glitches. There always are. But the painstaking  
16    collection and analysis of evidence was extraordinary. If you  
17    want a real-life example of looking for a needle in a haystack,  
18    how about looking for a knapsack in a landfill?

19            Those are some of the good things I'll remember. The  
20    bad things, however, will be even harder to forget. I turn to  
21    those now as I address the defendant. One of Shakespeare's  
22    characters observes: "The evil that men do lives after them.  
23    The good is oft interred with their bones." So it will be for  
24    Dzhokhar Tsarnaev.

25            Whenever your name is mentioned, what will be

1 remembered is the evil you have done. No one will remember  
2 that your teachers were fond of you. No one will mention that  
3 your friends found you funny and fun to be with. No one will  
4 say you were a talented athlete or that you displayed  
5 compassion in being a Best Buddy or that you showed more  
6 respect to your women friends than your male peers did. What  
7 will be remembered is that you murdered and maimed innocent  
8 people and that you did it willfully and intentionally. You  
9 did it on purpose.

10 You tried to justify it to yourself by redefining what  
11 it is to be an innocent person so that you could convince  
12 yourself that Martin Richard was not innocent, that Lingzi Lu  
13 was not innocent, and the same for Krystle Campbell and Sean  
14 Collier and, therefore, they could be, should be killed. It  
15 was a monstrous self-deception. To accomplish it, you had to  
16 redefine yourself as well. You had to forget your own  
17 humanity, the common humanity that you shared with your brother  
18 Martin and your sister Lingzi.

19 It appears that you and your brother both did so under  
20 the influence of the preaching of Anwar al-Awlaki and others  
21 like him. It is tragic, for your victims and now for you, that  
22 you succumbed to that diabolical siren song. Such men are not  
23 leaders but misleaders. They induced you not to a path to  
24 glory but to a judgment of condemnation.

25 In Verdi's opera Otello, the evil Iago tries to

1     justify his malice. "Credo in un Dio crudel," he sings. "I  
2     believe in a cruel god." Surely someone who believes that God  
3     smiles on and rewards the deliberate killing and maiming of  
4     innocents believes in a cruel god. That is not, it cannot be,  
5     the god of Islam. Anyone who has been led to believe otherwise  
6     has been maliciously and woefully deceived.

7             Mr. Tsarnaev, if you would stand, please.

8                     \* \* \*



## C E R T I F I C A T E

I, Marcia G. Patrisso, RMR, CRR, Official Reporter of the United States District Court, do hereby certify that the foregoing transcript constitutes, to the best of my skill and ability, a true and accurate transcription of my stenotype notes taken in the matter of Criminal Action No. 13-10200-GAO, United States of America v. Dzhokhar A. Tsarnaev.

/s/ Marcia G. Patrisso  
MARCIA G. PATRISSE, RMR, CRR  
Official Court Reporter

Date: 6/24/15